

033004

17707 U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

29766-74888

First Inventor

Larry J. Brackney et al.

Title

SYSTEM FOR CONTROLLING EXHAUST

Express Mail Label

EV 404972081 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages **40**]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **8**]

5. Oath or Declaration [Total Pages **2**]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ Paper

c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17. ☒ Other: Certificate Under 37 CFR 1.10  
Verification of True Copy

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **10/059,505**

Prior application information: Examiner **Kwon, John**

Group / Art Unit: **3747**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number:

**30450**or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

**Jeffrey A. Michael**

Registration No. (Attorney/Agent)

**37,394**

Signature

**Jeffrey A. Michael**

Date

**MARCH 30, 2004**

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$1,028.00

**Complete if Known**

Application Number	Unknown
Filing Date	Herewith
First Named Inventor	Larry J. Brackney et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	29766-74888

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number

10-0435

Deposit  
Account  
Name

Barnes &amp; Thornburg

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)
					770.00

**2. EXTRA CLAIM FEES FOR UTILITY AND**

Total Claims		Extra Claims	Fee from below	Fee Paid
11	-20** =	0	18.00	0.00
6	-3** =	3	86.00	258.00
Multiple Dependent			0.00	0.00

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)
					258.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	0.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	0.00
1053	130	1053	130	Non - English specification	0.00
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	0.00
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	0.00
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	0.00
1251	110	2251	55	Extension for reply within first month	0.00
1252	420	2252	210	Extension for reply within second month	0.00
1253	950	2253	475	Extension for reply within third month	0.00
1254	1,480	2254	740	Extension for reply within fourth month	0.00
1255	2,010	2255	1,005	Extension for reply within fifth month	0.00
1401	330	2401	165	Notice of Appeal	0.00
1402	330	2402	165	Filing a brief in support of an appeal	0.00
1403	290	2403	145	Request for oral hearing	0.00
1451	1,510	1451	1,510	Petition to institute a public use proceeding	0.00
1452	110	2452	55	Petition to revive - unavoidable	0.00
1453	1,330	2453	665	Petition to revive - unintentional	0.00
1501	1,330	2501	665	Utility issue fee (or reissue)	0.00
1502	480	2502	240	Design issue fee	0.00
1503	640	2503	320	Plant issue fee	0.00
1460	130	1460	130	Petitions to the Commissioner	0.00
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	0.00
1806	180	1806	180	Submission of Information Disclosure Statement	0.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	0.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
1801	770	2801	385	Request for Continued Examination (RCE)	0.00
1802	900	1802	900	Request for expedited examination of a design application	0.00
Other fee (specify) 0					0.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$0.00

**SUBMITTED BY**

Name (Print/Type)

Jeffrey A. Michael

Registration No.  
(Attorney/Agent)

37,394

**Complete (if applicable)**

Telephone

317-231-7382

Signature

Jeffrey A. Michael

Date

MARCH 30, 2004

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# BARNES & THORNBURG

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

## *IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

<i>Group:</i>	Unknown	}
		}
<i>Confirmation No.:</i>	Unknown	}
		}
<i>Application No.:</i>	Unknown	}
		}
<i>Invention:</i>	SYSTEM FOR CONTROLLING EXHAUST EMISSIONS PRODUCED BY AN INTERNAL COMBUSTION ENGINE	}
		}
<i>Applicants:</i>	Larry J. Brackney et al.	}
		}
<i>Filed:</i>	Herewith	}
		}
<i>Attorney</i>		}
<i>Docket:</i>	29766-74888	}
		}
<i>Examiner:</i>	Unknown	}

### CERTIFICATE UNDER 37 C.F.R. § 1.10

Mail Stop: Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Patent Application, on March 30, 2004. The Express Mail mailing label number is EV 404972081 US.

Respectfully submitted,



Signature

Angela Kay Lanning

Typed or Printed Name

Indianapolis, Indiana  
(317) 231-7380

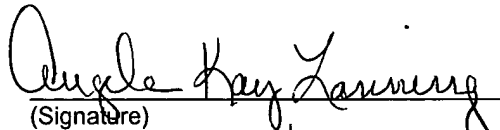
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown  
Confirmation No.: Unknown  
Application No.: Unknown  
Invention: SYSTEM FOR CONTROLLING EXHAUST EMISSIONS PRODUCED BY AN INTERNAL COMBUSTION ENGINE  
Inventor: Larry J. Brackney et al.  
Filed: Herewith  
Attorney Docket: 29766-74888  
Examiner: Unknown

Certificate Under 37 CFR 1.8(a)

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on March 30, 2004

  
(Signature)

Angela Kay Lanning  
(Printed Name)

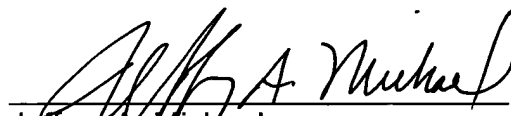
**VERIFICATION OF TRUE COPY**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Jeffrey A. Michael, Attorney Registration No. 37,394, state that the attached copy is a true copy of Application Serial No. 10/059,505, filed January 29, 2002.

Respectfully submitted,

  
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